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07 UNITED STATES DISTRICT COURT  
08 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 UNITED STATES OF AMERICA, )

10 Plaintiff, )

11 v. )

12 JUAN AYALA-CERDA, )

13 Defendant. )  
14

Case No.: 05-201M

DETENTION ORDER

15 Offense charged:

16 Unlawful entry, second offense — violation of 8 U.S.C. § 1325(a)(2).

17 Date of Detention Hearing: Initial Appearance, 4/28/2005.

18 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
19 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
20 that no condition or combination of conditions which defendant can meet will reasonably assure  
21 the appearance of defendant as required. If new issues surface, then the defendant may request  
22 another hearing on release.

23 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

24 (1) In the Complaint for Violation dated April 25, 2005, criminal records are cited that  
25 reflect prior offenses committed by Defendant, including violations of deportation and removal  
26 orders.

(2) Defendant appears to have no substantial ties to the community or to the Western District of Washington.

(3) The defendant has stipulated to detention due to the detainer placed on defendant by the Bureau of Immigration and Customs Enforcement, but reserves the right to the possibility of a subsequent motion for release if there is a change of circumstances.

(4) No conditions or combination of conditions are apparent that will reasonably assure the defendant's appearance at future Court hearings.

IT IS THEREFORE ORDERED:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 28th day of April, 2005.

s/ JAMES P. DONOHUE  
United States Magistrate Judge